

JUN 23 2006

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Eckhard Alt
Application No.:	09/735401
Filed:	December 12, 2000
For:	Tubular Stent with Oval Struts
Examiner:	Michael Thaler
Group Art Unit:	3731
Firm Docket No.:	S63.2N-11056-US03

DATE: June 23, 2006TIME: 9:39 a.m.FACSIMILE NO.: 571-273-8300TOTAL NUMBER OF PAGES (including transmittal letter): 3

## FACSIMILE TRANSMITTAL LETTER

Following please find a(n) 2 page Notice of Appeal; and 1 page Facsimile Transmittal Letter.

With respect to fees:

- ☐ No additional fee is believed to be required
- ☒ Charge Deposit Account No. 22-0350 in the amount of \$500.00 (Notice of Appeal)
- ☒ Charge any fee deficiency to our Deposit Account No. 22-0350

## Conditional Petition

If any extension of time for the accompanying response is required or if a petition for any other matter is required, applicant requests that this be considered a petition therefore.

If any additional fees associated with this communication are required and have not otherwise been paid, please charge the additional fees to Deposit Account No. 22-0350. Please credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,  
VIDAS, ARRETT & STEINKRAUSDate: June 23, 2006By: Brendan C. BabcockBrendan C. Babcock  
Registration No.: 507056109 Blue Circle Drive, Suite 2000  
Minnetonka, MN 55343-9185  
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## Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300, on June 23, 2006.Signature: Heidi J. Steuter

Heidi J. Steuter

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Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Docket No.: S63.2N-11056-US03

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby **appeals** to the Board of Patent Appeals and  
Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.
- ☐ A Petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**■ CONDITIONAL PETITION FOR EXTENSION OF TIME**

In the event a petition for extension of time is required and has not otherwise been requested or in the event the period specified is incorrect please consider this a petition for the appropriate extension therefore.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

06/26/2006 WABDELRI 00000036 220350 09735401

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I am the attorney or agent of record.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: June 23, 2006

By: 

Brendan C. Babcock  
Registration No.: 50705

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